



# Cochise County

## Development Services

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### MEMORANDUM

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Robert Kirschmann, Planner II  
**SUBJECT:** Docket RZ21-04 (Lounsbury)  
**DATE:** April 5, 2021 for the April 14, 2021 Planning and Zoning Commission Meeting

### APPLICATION FOR A REZONING

The Applicant requests a Rezoning from R-36 (one dwelling per 36,000 square feet) to RU-2 (one dwelling per two acres) on approximately 59 acres. The request will facilitate the construction of an agricultural processing facility. The parcel is located south of Interstate 10 at exit 366 in Bowie. The parcel number is identified as 302-28-003A

### I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Applicant: George Lounsbury  
Location: Western terminus of Music Road, Bowie  
APN: 302-28-003A  
Parcel Size: 59 Acres  
Current Zoning: R-36 (Residential, one dwelling per 36,000 square feet)  
Proposed Zoning: RU-2 (Rural; one dwelling per 2 acres)  
Growth Area: D – Rural Areas, C- Rural Community Areas  
Plan Designation: Rural/Developing  
Area Plan: None  
Existing Uses: Three (3) manufactured homes, barn, and runway  
Proposed Uses: ~12,000 Agricultural processing facility

### **Zoning/Use of Surrounding Properties**

Relation to Subject Parcel	Zoning District	Use of Property
North	GB	I-10, Gas station, vacant
South	R-36	Vacant
East	R-36	Recreational Vehicle Park
West	R-36	Vacant

### **Planning, Zoning and Building Safety**

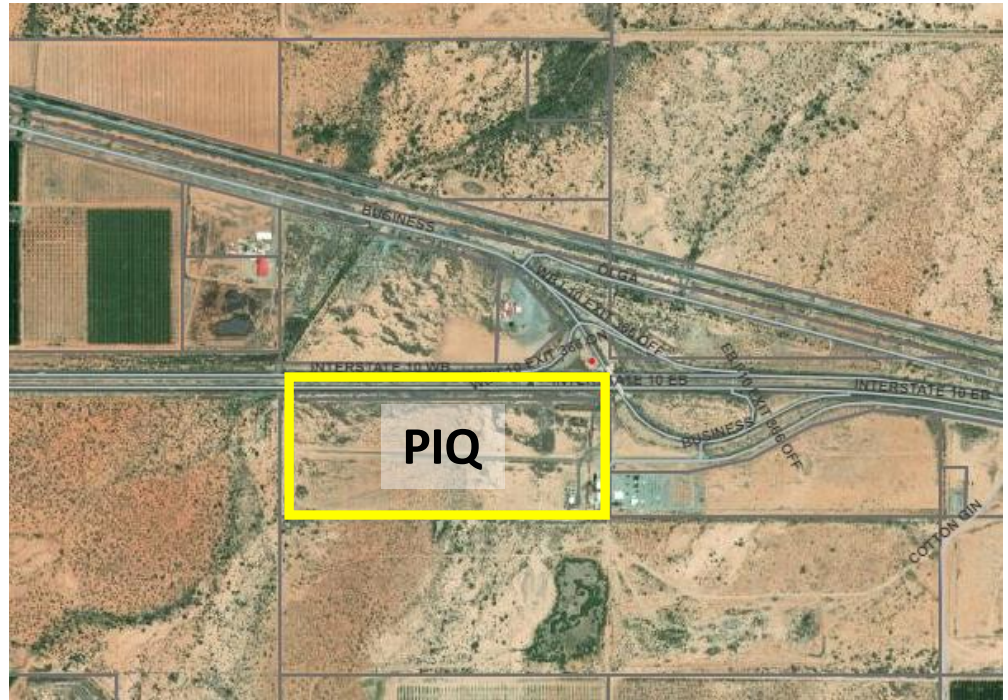
1415 Melody Lane, Building F  
Bisbee, Arizona 85603  
520-432-9300  
520-432-9278 fax  
planningandzoning@cochise.az.gov

**II. PARCEL HISTORY**

None

**III. NATURE OF REQUEST**

The applicant is requesting to amend the zoning of their parcel from R-36 to RU-2. Though the parcel is adjacent to Interstate 10, the area is rural and largely vacant. There is an RV Park located adjacent to the parcel (eastern side). Further to the South is RU-4 Zoning with nut cultivation. Although the downzoning will allow a broader range of uses that the residential zoning the parcels location adjacent to the Interstate and in close approximaty to nut production, the request is reasonable.



**Mandatory Compliance**

Section 2208.03 of the Zoning Regulations requires that the amendment of Zoning District boundaries comply with the Comprehensive or Area Plan Designation assigned to the area in question. In this case, the subject property is in a Category "C" Rural Community Areas and "D" Rural Area. The Comprehensive Plan allows for a downzoning to RU-2.

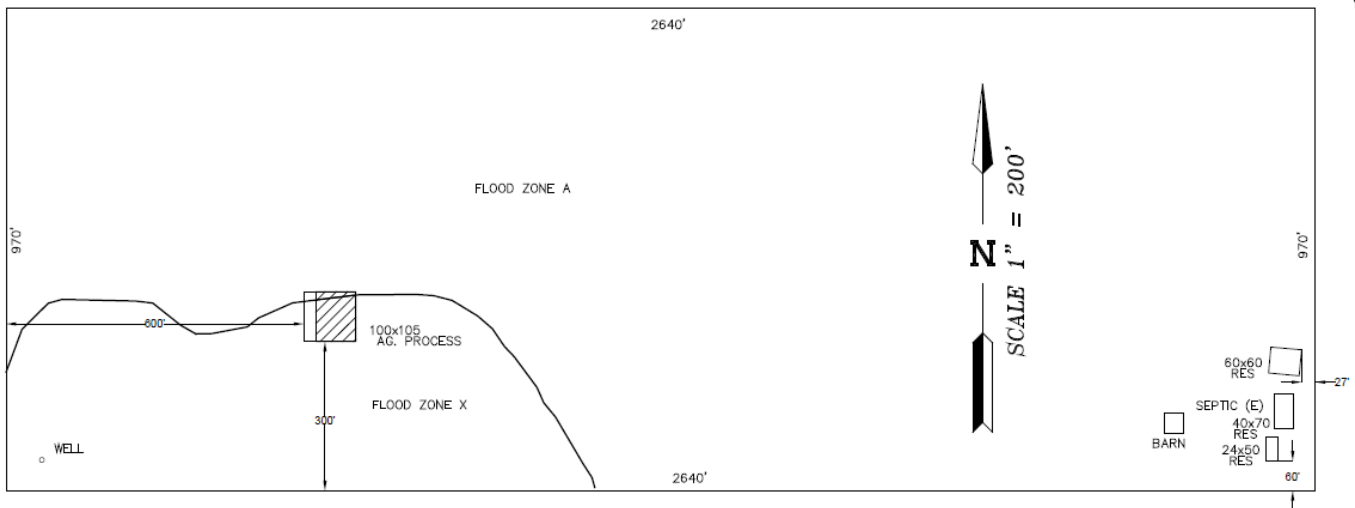
**Compliance with Rezoning Criteria**

Section 2208.03 of the Zoning Regulations provides fifteen criteria used to evaluate rezoning requests.

**1. Provides an Adequate Land Use/Concept Plan: Complies**

The applicant has presented a site plan which shows a 100 foot by 105-foot agricultural processing building. It is located in the southern portion of the 59 acres (away from the RV Park). The Building is shown to be at least 300 feet away from the property line. This will allow the applicant to go straight to the permitting process if this rezoning is approved.

**2. Compliance with Applicable Site Development Standards: Complies**



The parcel is 59 acres and will be able to accommodate all development standards including setbacks, parking, septic system, etc.

**3. Adjacent Districts Remain Capable of Development: Complies**

Current trends in the area are planting large expanses of nut trees. This facility will help to process those. The surrounding properties remain able to develop.

**4. Limitation on Creation of Nonconforming Uses: Complies**

If approved, the rezoning would not create any non-conforming land uses.

**5. Compatibility with Existing Development: Complies**

The parcel is located in a rural area with very scattered single-family homes on larger lots. The downzone to larger lots will be compatible with surrounding development.



**6. Rezoning to More Intense Districts: Not Applicable**

As indicated, this request is for a downzoning, which will reduce the permitted density.

**7. Adequate Services and Infrastructure: Complies**

The parcel and the existing road network support the necessary infrastructure to develop the parcel under the guidelines for the RU-2 zoning designation.

**8. Traffic Circulation Criteria: Complies**

This rezoning request will not alter the existing roadway network's layout or function without requiring right-of-way dedication or off-site improvements. Rezoning from R-36 to RU-2 would decrease the permitted density, with a corresponding decrease in potential traffic. When the permitted is submitted for the processing building right-of-

way will evaluate the request and determine if any dedication of improvements may be necessary to support the development.

**9. Development Along Major Streets: Not Applicable**

This parcel does not take access off a major roadway.

**10. Infill: Not Applicable**

This factor applies only to rezoning requests to General Business, Light Industry, or Heavy Industry.

**11. Unique Topographic Features: Complies**





No unique topographic features exist that will prevent the development of the property. However, a large portion of the site is located within a FEMA Flood Zone A. The applicant has placed the majority of the building outside that area. A drainage analysis will be required in conjunction with the permit submittal to verify compliance with flood regulations.

**12. Water Conservation: Complies**

As this proposed downzoning would reduce permitted maximum density, potential water usage could decrease.

**13. Public Input: Complies**

As a downzoning, the applicant is not required to complete a Citizen Review. Staff mailed notices to neighboring property owners within 300 feet of the

subject property on March 8, 2021. Staff posted the property on March 24, 2021 and published a legal notice in the Herald/Review in March. The Department received no letters in support or against this request.

**14. Hazardous Materials: Not Applicable**

No hazardous materials are proposed.

**15. Compliance with Area Plan: Complies**

The subject property is not within an area plan; however, the Comprehensive Plan designates the area as Rural and Rural Community Areas. RU-2 is consistent and compatible with the comprehensive plan and surrounding properties.



**IV. SUMMARY AND CONCLUSION**

The request is for a downzoning, from R-36 (Residential; one dwelling per 36,000 square feet) to RU-2 (Rural; one dwelling per two acres) on a 59-acre site in a remote area in Cochise. The area is characterized by open expanses, nut production and some high convenience services.

**Factors in Favor of Approval**

1. The request complies with eleven of the applicable rezoning factors used by staff to analyze this request;
2. The request would be in keeping with the character of the existing development in the area;
3. If approved, the proposed agricultural processing would create additional jobs in the Bowie area.

**Factors Against Approval**

1. The rural zoning allows for a wide range of permitted and special uses not allowed in the residential, including agricultural processing.

**V. RECOMMENDATION**

Based on the factors in favor of approval, staff recommends forwarding the rezoning request, from SR-22 (to RU-4 (Rural; one dwelling per four acres) on a 4.3-acre parcel to the Board of Supervisors with a recommendation of **approval**, subject to the following conditions:

1. The applicant shall provide the County with a signed Acceptance of Conditions and a Waiver of Claims form arising from ARS Section 12-1134 signed by the property owner of the subject property within thirty (30) days of Board of Supervisors approval of the rezoning; and
2. The applicant's responsibility is to obtain any additional permits or meet any additional conditions that may apply to the proposed use pursuant to other federal, state, or local laws or regulations.

*Sample Motion*

*Mr. Chairman, I move to recommend approval to the Board of Supervisors Rezoning, RZ21-04 (Lounsbury) located on parcel 302-28-003A, with the Conditions of Approval recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*